

## Tower Siting Policy

### **Planning Commission and Board of Supervisors Substantial Accord Determinations and/or Zoning Approval**

(NOTE: In general, the following are the guidelines which will be used to deliberate a proposed tower location relative to Substantial Accord and/or Zoning approval. Meeting these guidelines will not automatically address site specific concerns. Additional conditions may be imposed and/or recommended to address such concerns to further insure compliance with the Plan for Chesterfield or the purposes of the Zoning Ordinance in the instance of a zoning action.)

- A. Typically, the tower should be located in an area designated on the Comprehensive Plan for general commercial, general industrial and/or agricultural/forestal use.
- B. Typically, the tower should also satisfy the locational and design criteria for towers outlined in the Public Facilities Plan. The Public Facilities Plan suggests that:
  - 1) The tower should, where appropriate, be located in the vicinity of other existing towers and the tower should generally be designed to allow for shared use.
  - 2) The tower should generally be located away from existing or planned areas of residential, recreational and similar types of development. Specifically, towers should generally be located away from agriculturally zoned land identified on the Comprehensive Plan for residential use, residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development.
  - 3) Views of the tower from such existing or planned areas of development should be minimized.
- C. If a tower is to be located in the vicinity of existing or planned areas of development or other high visibility areas, such as near the intersections of major roads or along rivers, the tower should be architecturally incorporated in the design of an existing structure, such as a church or office building, or possess design features that mask the utilitarian nature of the tower. Otherwise, the tower should be located as remotely as possible from existing or planned areas of development or other high visibility areas and on property that is densely wooded with mature trees. Measures should be taken to insure the preservation of a mature stand of trees around the tower. The stand of trees should be of sufficient width, height and density to minimize views of the tower. Further, any antennas of other tower-mounted equipment should be designed, spaced, placed, and/or masked so as to minimize the visual impact.

- D. In areas designated on the Comprehensive Plan for residential use of 0.5 units per acre or less or rural conservation, towers may be appropriate where physical features such as topographical changes and streams (non-RPA and RPA) provide a boundary to future development.
- E. Under certain circumstances where the tower or antennae is designed to mask the improvement, co-location on stadium light poles at schools and parks athletic facilities; on electrical transmission structures; or on water towers and similar structures may be appropriate.
- F. The tower should be located and/or designed so as not to create a hazard for air navigation or affect the operations of the Chesterfield County Airport.
- G. The tower should be located to minimize the possibility of any adverse impact on existing or planned areas of development, the Chesterfield County Communications System and the County Airport. To address these concerns, the following is a list of conditions typically recommended for imposition on tower requests:
  - 1. There shall be no signs permitted to identify this use. (P)
  - 2. The base of the tower shall be enclosed by a minimum six (6) foot high fence designed to preclude trespassing. The fence shall be placed so as to provide sufficient room between the fence and the property line to accommodate evergreen plantings having an initial height and spacing to provide screening of the base of the tower and accessory ground mounted equipment or structures from adjacent properties. A detailed plan depicting this requirement shall be submitted to the Planning Department for approval in conjunction with final site plan review. (P)
  - 3. The developer shall be responsible for correcting any frequency problems which affect the Chesterfield County Communications System caused by this use. Such correction shall be made immediately upon notification by the Chesterfield County Communications and Electronics staff. (GS)
  - 4. The color and lighting system for the tower shall be as follows:
    - a. The tower shall be gray or another neutral color, acceptable to the Planning Department.
    - b. The tower shall not be lighted.

(NOTE: This requirement shall not apply to areas where towers are allowed by the Zoning Ordinance to exceed 199 feet. At the time of application, if lighting is desired, detailed plans as to the proposed lighting

shall be submitted. Those details will be reviewed by the staff, Planning Commission and Board of Supervisors to determine if lighting would have a negative impact on the surrounding area. Generally, if lighting is determined not to have an adverse impact, the following condition will typically be recommended: Lighting during daylight hours shall be limited to medium intensity strobe lights with upward reflection and lighting during night-time hours shall be limited to soft blinking lights with upward reflection.)

c. The tower shall be a monopole structure. (P)

(NOTE: This requirement shall not apply to areas where towers are allowed by the Zoning Ordinance to exceed 199 feet. At the time of application, if alternative treatment of the tower is desired, or determined to be appropriate given the location such as in a residential area, detailed plans as to the proposed alternative treatment shall be submitted. Those details will be reviewed by the staff, Planning Commission and Board of Supervisors to determine if the alternative design would have a negative impact on the surrounding area. Such treatments, which are designed to disguise the appearance of the tower, may include masking devices, design features or incorporation into the architectural design of a building.)

5. Any building or mechanical equipment shall comply with Section (area in which located) of the Zoning Ordinance relative to architectural treatment of building exteriors and screening of mechanical equipment. (P)

(NOTE: Section (area in which located) would require the screening of mechanical equipment located on the building or ground from adjacent properties and public rights of way. Screening would not be required for the tower or tower-mounted equipment. Provided, however, that in I-2 and I-3 Districts, such equipment need not be screened from view of any I-2 or I-3 District or any public right of way which does not accommodate or is not intended to accommodate through traffic movements.)

6. At such time that the tower ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, the owner/developer shall dismantle and remove the tower and all associated equipment from the property. (P)

(NOTE: These conditions are subject to modifications that address site-specific concerns.)

## Tower Siting Policy

### **Administrative Review of Substantial Accord Determinations**

(NOTE: Meeting these guidelines should address most of the concerns that tower siting requests typically generate. However, meeting these guidelines will not automatically address site-specific concerns or grant Substantial Accord approval. Staff may, through the administrative process, recommend that the applicant seek Planning Commission approval or recommend appropriate conditions to insure that the tower site is in Substantial Accord with the Comprehensive Plan.)

Administrative review of Substantial Accord Determinations for communications tower locations may be performed if:

- A. The tower site is zoned to permit the tower use.
- B. The tower site location and/or surrounding land uses mitigate the impact of the tower on existing and future areas of development, to include be not limited to: agriculturally zoned land identified on the Comprehensive Plan for residential use, residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development. Specifically, administrative review will be performed only if: a) an intermediate commercial or industrial use exists between the tower site and such development; and b) the tower meets minimum setbacks from such development.

If the tower site is located a minimum distance of 1,000 feet from residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development, or a minimum distance of 500 feet from agriculturally zoned land identified on the Comprehensive Plan for residential use, an intermediate commercial or industrial use will not be required.

If the tower is incorporated into the architectural treatment of a permitted use, an intermediate use or the 1,000 and 500 foot distance requirements will not be required. The tower must still comply with minimum setbacks.

- C. The tower site location and/or surrounding land uses mitigate the impact of the tower on high visibility areas, such as along major traffic corridors, near the intersections of major roads or along the James River. Administrative review will be performed only if: a) an intermediate commercial or industrial use exists between the tower site and such high visibility areas; and b) the tower meets minimum setbacks.

If the tower site is located a minimum distance of 1,000 feet from such areas, an intermediate commercial or industrial use will not be required.

If a 100 foot buffer of mature trees at an elevation that will mitigate the view of the tower is preserved between the tower and high visibility areas, an intermediate use or the 1,000

foot distance requirement will not be required. The tower must still comply with the minimum setbacks specified above. To insure that the buffer of trees will mitigate the view of the tower, the topography of the buffer area should be at no point lower than ten (10) feet below the elevation of the base of the tower.

If the tower is incorporated into the architectural treatment of a permitted use such as, but not limited to, stadium light poles at school and parks athletic facilities, church steeples or electrical transmission structures, an intermediate use, or buffer of 1,000 feet will not be required. The tower must still comply with minimum setbacks.

(NOTE: Buffers required by Ordinance or by conditions of zoning would remain applicable.)

- D. The tower should be located and/or designed so as not to create a hazard for air navigation or affect the operations of the Chesterfield County Airport, as determined by the Director of Aviation Services.

If these criteria cannot be met, the Substantial Accord will be reviewed by the Planning Commission through the public hearing process.

(NOTE: Under the Substantial Accord Policy of Chesterfield County, the following procedures apply:

- A. An administrative finding that the tower is in Substantial Accord with the Plan must be reviewed by the Planning Commission. The Commission may affirm or vacate the finding.

If the Commission affirms the administrative finding, the tower is deemed to be in Substantial Accord with the Plan. The Board of Supervisors does not review this decision unless the decision is appealed by the applicant.

- B. If the Commission vacates the administrative finding, a public hearing will be scheduled before the Planning Commission which will then determine if the tower is in Substantial Accord with the Plan.
- C. The Commission's finding is then reviewed by the Board of Supervisors. The Board may overrule or affirm the Commission's finding or refer the matter back to the Commission for further public hearing. Also, the applicant may appeal the Commission's finding to the Board.)